



35 USC § 112 REJECTIONS

The Examiner rejected claims 1-41 under 35 USC § 112, second paragraph as being indefinite. Claims 1, 2, 15-16, 23, 24, 28, 29, 36, and 39 have been amended to clarify the phases identified by the Examiner as being indefinite. Due to the above amendments, the Examiner's § 112 rejections should be moot.

ADDITIONAL CLAIM AMENDMENTS

In addition to these amendments, independent claim 1 was amended to more clearly claim the subject matter of the present invention. Claims 2, 3, 4, 14, 15 and 30 have been amended to clarify the language used therein, as a result of the amendments to claim 1, to clarify the subject matter of the present invention, or to provide antecedent basis for terms therein. Claims 42 and 43 were added to clarify the subject matter of the present invention. The above amendments to the claims are clearly supported by the original specification, drawings, and claims, and therefore do not add new matter.

35 USC § 102 REJECTIONS

Claims 1-3 and 15-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,729,961 to **Partridge**. To the extent that the Examiner's rejections may be applied to the claims, as amended, they are respectfully traversed.

Amended independent claim 1 is directed to a pictorial display with the following limitations:

- a polyhedron of **a transparent material** and having first and second recesses;

- a backing including first and second portions and first and second flanges with **first and second free edges that are bent towards the first or second portion**, respectively, the first and second flanges attach the backing to the polyhedron; and
- a pictorial representation that is **viewable through the polyhedron**.

Partridge, on the other hand, is directed to a label attaching device. With reference to FIG. 1, the device includes a rubber stamp body 10 with slots 12. The device also includes a label 9 and a holder 11 for attaching the label to the body. The holder is a strip of transparent material with flanges 20. The Examiner states that the body 10 is the polyhedron of the present invention and the holder 11 is the backing of the present invention. In claim 1, however, the polyhedron is transparent so a pictorial representation is visible therethrough. In **Partridge**, the opposite is true and the label is visible through the holder or so-called backing. Additionally, in the present invention the transparent polyhedron has recesses and the backing has flanges. Again in **Partridge** the opposite is true, and the holder 11 or backing is transparent and has flanges while the opaque body 10 or polyhedron has slots. There is no suggestion to modify the device of **Partridge** to form a display as required by claim 1. As a result, the invention as recited in claim 1 is allowable over **Partridge**.

REMAINING DEPENDENT CLAIMS

Claims 2-23 and 42-43 are dependent on allowable claim 1. As a result, these dependent claims contain all the limitations of the allowable base claim. These dependent claims are allowable at least by virtue of their dependence on allowable base claim. In addition, these dependent claims are allowable for the

totality of features claimed therein, based on the new combinations formed with the added limitations.

ALLOWABLE CLAIMS

Applicants gratefully acknowledge the Examiner's allowance of claims 24 and 39 and claims 4-14, 25-38, and 40-41. By this Amendment, the 112 rejections preventing the allowability of claims 24 and 39 have been addressed. Applicants therefore submit that the application is now in condition for allowance, and reconsideration thereof with a view towards an early Notice of Allowance is believed in order and is earnestly solicited.

CONCLUSION

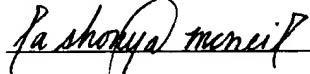
In view of the foregoing, it is respectfully submitted that all of the claims patentably distinguish over all the art of record, taken singly or in any combination, under 35 U.S.C. § 102 as well as under 35 U.S.C. § 103. Entry of the Amendment, allowance of the claims, and the passing of the application to issue is respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is encouraged to telephone the undersigned at the telephone number given below for prompt action.

An excess claim fee is believed to be due and a fee is believed to be due as indicated on the Request for Extension of Time submitted herewith. The Commissioner, however, is hereby authorized to charge any fee deficiency to the SAIDMAN DesignLaw Group Deposit Account No. 19-0031.

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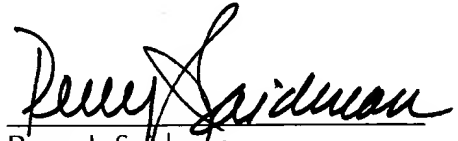
NAME

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December 16, 2002

Respectfully submitted,



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Marked-up Version of the Claims

1. (Amended) A pictorial display, comprising:

a polyhedron having a top [and], a bottom[;], first and second recesses, and
said polyhedron being formed of a transparent material; and
a backing including a first portion with ^{and a second portion, said first portion having} an associated first flange including a
first free edge which ^{second} is bent towards said first portion, ^{said} and a second portion ^{having} with an
associated second flange including a second free edge which is bent towards said
first second portion, said [; and

first and second recesses formed on said polyhedron and] first and second
flanges [formed on said backing for] attaching said backing to said polyhedron;

wherein said backing and said polyhedron are adapted to contain a pictorial
representation therebetween for viewing through said polyhedron[;

wherein said first and second flanges each including a free edge which is
bent inwardly more than 90 degrees towards its associated planar portion].

2. (Amended) The pictorial display of claim 1, wherein said polyhedron
includes at least one planar side[, said backing includes at least one planar portion],
and said first and second recesses and said first and second flanges co-operate to
hold said first and second [planar] portions of said backing in close parallel
relationship with said at least one planar side of said polyhedron.

3. (Amended) The pictorial display of claim 2, wherein said polyhedron further includes first and second planar sides and the dimensions of said [one] first and second [planar] portions of said backing conform[s] to the dimensions of each of said [one planar side] first and second planar sides, respectively, of said polyhedron.

4. (Amended) The pictorial display of claim 1, wherein said polyhedron includes a pair of adjacent sides sharing a common corner, [said backing includes a pair of planar portions,] the dimensions of each of said first and second [planar] portions conforming respectively to the dimensions of said pair of adjacent sides, and said backing is bent between each of said [pair of] first and second [planar] portions to form a corner which mates with said common corner of said polyhedron when said backing is attached thereto.

14. (Amended) The pictorial display of claim 13, wherein said first and second [interlocking elements] flanges and said first and second recesses are located midway between said top and said bottom of said polyhedron.

15. (Amended) The pictorial display of claim 1, wherein said first free edge is bent inwardly about 180 degrees towards [its associated] said first [planar] portion and said second free edge is bent inwardly about 180 degrees towards said second portion.

16. (Amended) The pictorial display of claim 15, wherein each of said first and second recesses comprises a slot [that] shaped and positioned to accommodate a substantial part of one of said first and second flanges therein.

23. (Amended) The pictorial display of claim 21, wherein said first and second free edges [is] are biased to fit snugly against [one of] said first and second recesses, respectively.

24. (Amended) A pictorial display, comprising:
a polyhedron formed of a solid, transparent material and having first and second recesses and first and second sides, each of said first and second sides being substantially flat; and

a backing comprising an opaque material including first and second flanges, first and second free edges, and first and second planar portions, each of said first and second planar portions being shaped and located to substantially respectively cover said first and second sides, said first flange being located between said first free edge and said first planar portion and said second flange being located between said second free edge and said second planar portion;

wherein said backing and said polyhedron are adapted to receive a pictorial representation therebetween for viewing through said polyhedron;

wherein said first flange cooperates with said first recess and said second flange cooperates with said second recess to removably attach said backing to said polyhedron;

A wherein said first and second free edges are each [bend] bent inwardly more than 90 degrees towards [its respective associated] said first and second planar portions, respectively.

AD 28. (Amended) The pictorial display of claim 24, wherein said first and second free edges [is] are bent inwardly about 180 degrees towards [its associated] said first and second planar portions, respectively.

29. (Amended) The pictorial display of claim 28, wherein each of said first and second recesses comprises a slot [that] shaped and positioned to accommodate a substantial part of one of said first and second flanges therein.

30. (Amended) The pictorial display of claim 29, wherein each of said slots extends from said top to said bottom of said polyhedron.

36. (Amended) The pictorial display of claim 34, wherein said first and second free edges [is] are biased to fit snugly [one of] said first and second recesses, respectively.

39. (Amended) A pictorial display comprising:
a polyhedron having a top, a bottom, and first, second, third and fourth sides, said bottom and first and second sides being substantially flat, said third and fourth sides respectively including first and second elongated slots; and

a backing comprising an opaque material and having first and second flanges, first and second free edges, and first, second and third planar portions;

wherein said backing and said polyhedron are adapted to contain a pictorial representation therebetween;

wherein each of said first, second and third planar portions is shaped and located to respectively cover said first and second sides and said bottom;

wherein said first and second flanges are respectively located between said first free edge and said first planar portion and between said second free edge and said second planar portion;

wherein said first and second flanges form an acute angle relative to said first and second planar portions, respectively.

42. (New) The pictorial display of claim 1, wherein said first free edge is bent more than 90 degrees towards said first portion, and said second free edge is bent more than 90 degrees towards said second portion.

43. (New) The pictorial display of claim 1, wherein said polyhedron further includes a pair of adjacent viewing surfaces sharing a common corner, said pictorial representation being viewable through said pair of adjacent viewing surfaces.